

MINUTE ORDER

documents are inadequate.

Plaintiffs' other arguments also fail. Settlement agreements are subject to the same discovery standards as other information sought in litigation. (Code Civ. Proc. §2017.010 and *Norton v. Super. Ct.* (1994) 24 Cal.App.4th 1750, 1760-1762 (hereafter "*Norton*").) *Hinshaw v. Superior Court* (1996) 56 Cal.App.4th 233, 238, is factually distinguishable from *Norton* and this case.

Plaintiffs' argument that the requested information should not be produced pursuant to section 1154 fails because it is not applicable to any of the above noted reasons that WD is requesting the documentation.

Based on the foregoing, motion is granted. The following procedure shall be employed to implement appropriate production of settlement documents. WD will select three sets from among the approximately eighteen sets of settlement agreements and related documents. Plaintiffs will turn over all nonprivileged documents for the three sets together with a privilege log within fifteen days. If either side is dissatisfied with the process, both parties shall set an *ex parte* with the Court where an *in camera* review of allegedly privileged documents can be conducted. Once this phase is complete, it will serve as a template for the production of the remaining sets of settlement documents. Finally, the Court shall defer its ruling on the propriety of granting an award of costs to WD until the discovery is complete.

IT IS SO ORDERED.

The Defendants inform the Court that they have chosen the following three settlement agreements to be representative; TXU, DYNAGY AND ACQUILLA. All materials provided will be confidential under the existing protective order. Privilege log to be produced by Plaintiffs.

Parties agree to work together to settle any disputes, anything that cannot be resolved may be brought to the Court for resolution.